

NATIONAL TRANSPORTATION SAFETY BOARD

In the Matter of:ACCIDENT OF THE LADY D
ON MARCH 6, 2004
in Baltimore, Maryland

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Docket No. DCA 04 MM015

Sunday,
March 7, 2004

INTERVIEW OF:

MICHAEL HOMAN

PRESENT:

MORGAN J. TURRELL, NTSB
MARIETTE BURER
RON SILVER
MARK HAMMOND
QUINCY SHOCKLEY

P R O C E E D I N G S

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MR. TURRELL: Okay. Good morning. This is Morgan Turrell, Group Chairman Operations, NTSB. We are in the hospital, University Hospital here in Baltimore interview crew member, who was involved in the water taxi accident on Saturday. Will the witness introduce himself, go ahead, sir?

MR. HOMAN: My name is Michael Homan, H-O-M-A-N. I live at (Deleted)

MR. TURRELL: Okay. And I am Morgan Turrell, with the NTSB and we have other party members, please introduce yourself.

LIEUTENANT COMMANDER HAMMOND: Lieutenant Mark Hammond, Coast Guard Sector Baltimore.

CAPTAIN SILVER: Captain Ron Silver, Seaport, representing Seaport Taxi.

MR. TURRELL: Okay.

CORPORAL SHOCKEY: Corporal Quincy Shockey, Maryland Natural Resource Police.

MS. BURER: Mariette Burer, NTSB.

MR. TURRELL: Okay. Mike, I understand you have a representative here that you selected to be with you for the interview.

1 MR. HOMAN: It is my wife, Peggy Homan.

2 MR. TURRELL: Okay. Okay. Mike, if you would
3 just tell me how long you have worked for Seaport Taxi?

4 MR. HOMAN: Since May of last year, 2003.

5 MR. TURRELL: Okay. And what Coast Guard
6 license or document do you currently hold?

7 MR. HOMAN: I have a 50 ton Master's.

8 MR. TURRELL: You hold a Master, an MD card, a
9 Mariner document?

10 MR. HOMAN: I don't think so.

11 MR. TURRELL: Okay. Commonly referred to as
12 the V card. I am not sure.

13 Okay. And do you recall if you were drug
14 tested or alcohol tested after the accident?

15 MR. HOMAN: Well, they took some blood, but
16 nobody specifically said they took a drug test.

17 MR. TURRELL: Okay. We commonly ask crew
18 members involved in marine accident to give us a 72
19 hour history. So, if you could take us back to, would
20 that be Thursday? Thursday, tell us what you did
21 Thursday, and Friday and Saturday, just basic, when you
22 went to bed, when you woke up, if you did anything,
23 took a road trip or just give us sort of the history of
24 what you have been doing the last three days leading up
25 to the accident.

1 MR. HOMAN: Thursday, I believe I worked as a
2 maintenance, did maintenance, 9:30 to 5:30. And then
3 we went out, to watch, we went to the Hippodrome, and
4 saw the "Producers". And went to bed.

5 MR. TURRELL: Okay. And what time do you
6 normally wake up?

7 MR. HOMAN: I had to work Friday, so, I got up
8 about 7:30, 7:30.

9 MR. TURRELL: Okay. And is that normally when
10 you would wake up?

11 MR. HOMAN: Yeah, sometime in there.

12 MR. TURRELL: And on Thursday night, after
13 "Producers", do you know exactly what time you went to
14 bed?

15 MR. HOMAN: Midnight.

16 MR. TURRELL: Midnight, okay. And normal
17 routine, breakfast, lunch and dinner.

18 MR. HOMAN: Yes.

19 MR. TURRELL: Okay. And then on Friday?

20 MR. HOMAN: I worked, had breakfast, no lunch
21 and then had --

22 MR. TURRELL: No lunch.

23 MR. HOMAN: And then I had dinner.

24 MR. TURRELL: Okay. And the work hours on
25 Friday?

1 MR. HOMAN: I can't recall.

2 UNIDENTIFIED SPEAKER: Normal shift.

3 MR. HOMAN: What boat was I on?

4 UNIDENTIFIED SPEAKER: Normal shift, Mike,
5 would have been six to ten, which you got off -- does
6 that sound right?

7 MR. HOMAN: Yes. I got home at --

8 MR. TURRELL: Six p.m.

9 UNIDENTIFIED SPEAKER: Yes.

10 MR. TURRELL: Okay. So your work shift was
11 from six to 10 p.m.

12 MR. HOMAN: Yes.

13 UNIDENTIFIED SPEAKER: I am just reading his
14 normal shift.

15 MR. HOMAN: Yes.

16 MR. TURRELL: What would you have done in the
17 day time, what would you have done Friday during the
18 day?

19 MR. HOMAN: I worked on my boat, pulling the
20 head out of it.

21 MR. TURRELL: Okay. Okay. And then so that
22 was six to ten, you probably went to bed at what time,
23 Friday night?

24 MR. HOMAN: Probably about 11.

25 MR. TURRELL: Okay. And then the day of the

1 accident, what time did you wake up?

2 MR. HOMAN: I had worked until 10 o'clock, so
3 I got at 7:30.

4 MR. TURRELL: Okay. And you reported to work
5 at what time?

6 MR. HOMAN: About 9:15.

7 MR. TURRELL: Nine fifteen.

8 MR. HOMAN: A.m.

9 MR. TURRELL: Okay. And are you taking any
10 prescription medication?

11 MR. HOMAN: Just (Deleted).

12 MR. TURRELL: Okay. And do you wear glasses or
13 any --

14 MR. HOMAN: Yes, I lost my glasses in the
15 accident.

16 MR. TURRELL: Okay. Where they reading
17 glasses or --

18 MR. HOMAN: No, I am near sighted.

19 MR. TURRELL: Okay. Did you have any condition
20 that would have impaired you in any way during the
21 accident, any physical conditions?

22 MR. HOMAN: No.

23 MR. TURRELL: Can you tell me your maritime
24 background, just tell me how you got interested into
25 the business professionally?

1 MR. HOMAN: I have always grown up around
2 boats since I was a teenager. And I owned a boat on
3 and off, probably for about 15 years, so.

4 MR. TURRELL: And when did you get your first
5 license?

6 MR. HOMAN: That was back in October, I
7 believe of 2003.

8 MR. TURRELL: Okay. And how did you find out
9 about the job at Seaport Taxi?

10 MR. HOMAN: Through the captain, we walk
11 around, we walk the dogs around Fells Point and you get
12 to know people.

13 MR. TURRELL: Okay. And so you started
14 working there October 2003?

15 MR. HOMAN: No, it was May of 2003.

16 MR. TURRELL: Okay. May of 2003.

17 MR. HOMAN: Yeah, I had taken the captain
18 course.

19 MR. TURRELL: Okay.

20 MR. HOMAN: At community college, while I was
21 working.

22 MR. TURRELL: Okay.

23 UNIDENTIFIED SPEAKER: You might want to
24 clarify the difference between mate position and the
25 captain position.

1 MR. TURRELL: Okay.

2 UNIDENTIFIED SPEAKER: The mate's position is
3 an unlicenced position. And Mike was originally as a
4 mate.

5 MR. TURRELL: Okay.

6 UNIDENTIFIED SPEAKER: Not as a captain.

7 MR. HOMAN: Yeah.

8 MR. TURRELL: Let's stop for a moment.

9 (Off the record.)

10 MR. TURRELL: Okay. We are back on the record
11 with Mike Homan. And I will pick up again with, you
12 just started working for the company in May of 2003.
13 And you started working, got your license in October of
14 2003 and we wanted to clarify, and your position is
15 what you were hired on and what license you hold? So,
16 we will go ahead and tell us about that?

17 MR. HOMAN: Yes, at the time I was a mate.

18 MR. TURRELL: Okay.

19 MR. HOMAN: Unlicenced position.

20 MR. TURRELL: Okay. Okay. And have you worked
21 captain yet on the boats?

22 MR. HOMAN: No.

23 MR. TURRELL: Okay. And Mike, if you would
24 just start Saturday morning, take us through the day,
25 and events leading up to and including the accident.

1 MR. HOMAN: I will just give you some
2 synopsis, whatever detail you want, you can ask me.

3 MR. TURRELL: Okay.

4 MR. HOMAN: We basically started off about, we
5 were running late, we started picking up passengers
6 around 10:30. We had shielded up. And we had trouble
7 with getting the attendant for shields. We weren't
8 shielded until about 10:15, got to the Harbor Place at
9 10:30. We picked up a load of passengers, and we took
10 them out to Fells Point. And at that time was about
11 11, a little bit past 11. And we made our first run
12 into the Fort, Fort McHenry. We picked up, there was a
13 coordinator at the Fort, Bill Thompson. We picked him
14 up and I believe Harrison Creek, took them with us to
15 the Fort. And then we made runs back and forth all day
16 long to Fort McHenry.

17 MR. TURRELL: Okay. So, the captain's name
18 was?

19 MR. HOMAN: Frank.

20 MR. TURRELL: Frank.

21 MR. HOMAN: I don't know what Frank's last
22 name is.

23 UNIDENTIFIED SPEAKER: Deppner.

24 MR. TURRELL: Deppner, right. So you and
25 Frank were operating the boat during this whole time

1 frame.

2 MR. HOMAN: Yes, I would be driving the boat
3 when there was no passengers onboard, just practicing
4 docking and stuff.

5 MR. TURRELL: Okay. What are your duties as a
6 mate onboard the boat with passengers?

7 MR. HOMAN: I give them the safety
8 announcements, tell them where we are going to stop,
9 how often the boat picks up, where the life preservers
10 are, collect the money, tickets, hand stamp and
11 tickets, so they can get on and off until 10 p.m. that
12 night.

13 MR. TURRELL: Okay.

14 MR. HOMAN: Although we stop running to the
15 Fort at the time the Fort closes, at 4:00 p.m.

16 MR. TURRELL: Okay. Would you give us, would
17 you just kind of give us your normal spiel if you
18 would?

19 MR. HOMAN: Yes, we say for your safety there
20 is life preservers on any of the seats, the children's
21 or, they are on that particular boat, on the left side.
22 And we ask them to remain seated while we back up and
23 dock the boat.

24 MR. TURRELL: Okay.

25 MR. HOMAN: If I am the Harbor Place, I tell

1 them the next stop is Fells Point and in Fells Point,
2 going to the Fort, next stop is Fort McHenry.

3 MR. TURRELL: Okay. And so, would you take us
4 to around four o'clock, and you have now arrived at the
5 Fort. Before that trip, was there any abnormalities on
6 the boat, or any condition of the boat that might be
7 relevant?

8 MR. HOMAN: No, actually I had personally
9 checked the life preservers on the maintenance day,
10 which was Tuesday. Checked all life preservers,
11 cleaned them, checked the back door, the buoy, so we
12 had a complete free Coast Guard inspection and the
13 Coast Guard was suppose to check the boat the following
14 Monday, I believe, the next Monday.

15 MR. TURRELL: How often does the Coast Guard
16 inspect the boats?

17 MR. HOMAN: I am not sure.

18 UNIDENTIFIED SPEAKER: Annually.

19 MR. TURRELL: Okay.

20 UNIDENTIFIED SPEAKER: Annually on the top
21 side --

22 MR. TURRELL: Okay. What other equipment is on
23 the boat, like navigation --

24 MR. HOMAN: Well, I had my personal radio, and
25 plus a wind gauge, which gave me the temperature and

1 since the front was coming through, I was checking the
2 temperature and at some points it would be 65 degrees
3 and then it would shoot up the 70 something. So, it
4 was a wild front. I had checked the wind earlier,
5 because it was getting, at points it was calm, at
6 points it started getting choppy. The highest reading
7 I got was like, before the accident, was about 10
8 knots. Before we left, when the accident happened, I
9 checked my wind gauge and it was reading 13 knots.

10 MR. TURRELL: Okay.

11 MR. HOMAN: I had my personal marine weather
12 radio, listening to the weather forecast and I didn't
13 hear any warning or anything that there was any kind of
14 wind gust. But, it was dark clouds, you could see, so
15 I knew there was something going to happen somewhere.

16 MR. TURRELL: And --

17 MR. HOMAN: It looked like it was going to the
18 west.

19 MR. TURRELL: Okay. When did you first notice
20 the dark clouds?

21 MR. HOMAN: On the way in.

22 MR. TURRELL: Okay. So about 3:30.

23 MR. HOMAN: Roughly.

24 MR. TURRELL: Okay.

25 MR. HOMAN: But, everything looked like it was

1 to the west.

2 MR. TURRELL: Okay. And so you tell us at
3 1600 boarding passengers at Fort McHenry. Would you
4 just take us through that particular --

5 MR. HOMAN: I am not sure of the time we
6 picked them up. I know it was, it wasn't our final
7 run, which is at four o'clock.

8 UNIDENTIFIED SPEAKER: If you were on schedule
9 it would have been sometime before 3:30.

10 MR. HOMAN: Yeah, between 3:30 and say four.

11 MR. TURRELL: Okay.

12 MR. HOMAN: And there were a few stragglers
13 that held us up. They were like sitting on the fire
14 dock, so it was a slow boarding process.

15 MR. TURRELL: And how did you do a passenger
16 count?

17 MR. HOMAN: There is dock coordinator that
18 stops them at the gate and make sure that we don't
19 overload the boat or anything like that. He knew the
20 number of, because we always keep track of how many
21 people are at the Fort.

22 MR. TURRELL: Okay.

23 MR. HOMAN: They have to send a different boat
24 to get them all off at the end of the day.

25 MR. TURRELL: Okay. And so you are loading the

1 boat and there is some time around 3:30, you think.

2 And there are a few stragglers.

3 MR. HOMAN: Yes. I had counted 23 passengers.

4 MR. TURRELL: Okay.

5 MR. HOMAN: And I know Frank did his own
6 count, so.

7 MR. TURRELL: Okay.

8 UNIDENTIFIED SPEAKER: So in effect we would
9 have had three counts.

10 MR. HOMAN: Yes, three people were counting.

11 UNIDENTIFIED SPEAKER: Okay. Bill only allows
12 a maximum of 23 into the fire station dock area.

13 MR. TURRELL: Okay.

14 UNIDENTIFIED SPEAKER: And then Mike counts
15 them coming in and typically the captain will count
16 before he pulls off, if he thinks he has got a full
17 load, he will confirm that it is not overloaded. So,
18 it sounds like we had three counts.

19 MR. TURRELL: Okay. So, now, take me through,
20 the passengers, what is your assessment of the
21 passengers, how many children are there?

22 MR. HOMAN: I know there was a lady with three
23 children. I believe that it the only children that
24 were onboard. The rest of them were, I would say 45 to
25 55, 60.

1 MR. TURRELL: Okay. And where are the children
2 sitting?

3 MR. HOMAN: I am not sure.

4 MR. TURRELL: Okay. And so when you left dock,
5 what were the conditions?

6 MR. HOMAN: Well, if you look at the lay of
7 the land there, we are docked at the fire, head in, so
8 we would have had the back out. So, before I think I
9 got even to make my announcement, we got hit with a bad
10 wind. And I remember telling everybody to stay seated,
11 nobody stands up. And I think the boat got turned
12 around and was heading towards Fells Point and then the
13 wind really picked up. And I think it blew Frank off
14 to the right, and he did like a spiral and the wind was
15 blowing down towards the Key Bridge. He couldn't turn
16 the boat around to get back to the dock. So, it was
17 pretty quick, to back up. It was just a struggle. At
18 one point the passengers had jumped up and I remember
19 Frank telling me earlier that if they do that, it will
20 throw the boat out of balance and I had them sit down
21 again. And when I felt the boat going, being thrown
22 over to the right side, I said, to get up and go over
23 to the right side, to balance the boat out. And at
24 that point, the boat just went over.

25 MR. TURRELL: Okay. So, where, going back just

1 for a moment, where was the wind coming from?

2 MR. HOMAN: The wind was coming from the west.

3 MR. TURRELL: Okay. Which side of the boat?

4 What side?

5 MR. HOMAN: Well, from where we were, you
6 know, we were making a spiral turn.

7 MR. TURRELL: Okay.

8 MR. HOMAN: So, when we flipped, the wind was
9 behind us.

10 MR. TURRELL: Okay. So, initially the boat
11 yielded to which direction, initially?

12 MR. HOMAN: As we were turning, originally
13 when we were heading towards Fells Point, the wind was
14 blowing us off to the right. And as we made that turn
15 to get the wind behind us, the boat had turned to the,
16 lipped to the right side of the, starboard side.

17 MR. TURRELL: Okay.

18 MR. HOMAN: And passengers got up and leveled
19 it off. And I had everybody sit down and there were,
20 we had the wind behind us, turned to make another turn
21 to go back to the dock, I assumed he was going back to
22 the dock, and at that point the boat was -- and again
23 the passengers got up, went over to the starboard and
24 at that point the boat flipped. So we did everything
25 we could to stabilize the boat.

1 MR. TURRELL: Okay. Once the boat started to
2 turn and flip, which, it went from, was yielding
3 towards the starboard and flipped from port to
4 starboard?

5 MR. HOMAN: Yes.

6 MR. TURRELL: Or did --

7 MR. HOMAN: At that point I was scared and I
8 said, please grab ahold of the life preservers.

9 MR. TURRELL: Okay. And did they?

10 MR. HOMAN: I heard a lot of people acting
11 like it was a joke.

12 MR. TURRELL: Okay. Okay. Do you recall
13 seeing the same passengers from prior trip, do you
14 recall seeing some of them?

15 MR. HOMAN: Yeah, all the passengers, we were
16 the only boat taking people out. So, at one point or
17 another we had taken them out.

18 (Pause.)

19 MR. TURRELL: Okay. I will turn it over to --
20 Go ahead.

21 UNIDENTIFIED SPEAKER: I just wanted to
22 confirm which way the vessel flipped. What, starboard
23 side or port side?

24 MR. HOMAN: It lisped to the port side and
25 rolled port.

1 UNIDENTIFIED SPEAKER: Okay. So it did roll
2 port. Okay. And what was the heading at the time of
3 the roll, were you facing back to Fort McHenry?

4 MR. HOMAN: We were facing the Key Bridge.

5 UNIDENTIFIED SPEAKER: Key Bridge, okay.

6 (Pause.)

7 UNIDENTIFIED SPEAKER: Just so I understand
8 the sequence, the vessel backed out of the pier, that
9 is when the wind first started catching it, did it blow
10 the stern back or blow the --

11 MR. HOMAN: I was able to, I can't remember
12 what direction I was looking at, probably towards the
13 stern, but, the stern, he was able to turn. And then
14 he was able to straightened up and head into the wind.

15 UNIDENTIFIED SPEAKER: Okay.

16 MR. HOMAN: The wind then picked up even
17 stronger and blew him off, threw him like in a spiral.

18 UNIDENTIFIED SPEAKER: Going back towards, the
19 heading toward the Key Bridge.

20 MR. HOMAN: The wind was noticeably strong as
21 soon as we got out beyond the fire pier and the shelter
22 of the land.

23 UNIDENTIFIED SPEAKER: What concerns did you
24 have as the crew, as to the weather conditions before
25 you got on your way?

1 MR. HOMAN: I was monitoring and we had gone
2 through a front already earlier that day. We had a lot
3 of rain, but the wind was, there were little white
4 caps, but the boat was handling it fine. It was stable
5 and everything like that. At some points we might
6 have, I might have gone to the back just to keep the
7 weight off the bough, or something. But, I didn't see
8 any problem.

9 UNIDENTIFIED SPEAKER: What radio
10 transmissions did you hear?

11 MR. HOMAN: I was listening to Channel 2, and
12 I think, the only thing I heard was observation, the
13 last thing I remember hearing is observation in the
14 Harbor. And I think they said wind gusts up to 30
15 knots.

16 UNIDENTIFIED SPEAKER: When was that?

17 MR. HOMAN: That was right as we left.

18 UNIDENTIFIED SPEAKER: That would be like at
19 3:45 kind of frame.

20 What about radio transmissions with your
21 vessel and other vessels? Do you --

22 MR. HOMAN: I was on the dock and I did hear
23 Frank talking to Kathy and I don't know what the
24 conversation was about.

25 UNIDENTIFIED SPEAKER: On that particular

1 boat, 23 passengers, it would be difficult, if Mike was
2 listening to the weather radio.

3 MR. HOMAN: Yes.

4 UNIDENTIFIED SPEAKER: And dealing with the
5 passengers, it would be very difficult for him to hear.

6 MR. HOMAN: Yes, but I know there was a
7 conversation.

8 UNIDENTIFIED SPEAKER: Where were you
9 physically, where were you physically located on the
10 boat?

11 MR. HOMAN: I was standing up --

12 UNIDENTIFIED SPEAKER: Standing up forward of
13 the --

14 MR. HOMAN: At one point I was forward and
15 then I went to the stern. I was really trying to
16 balance the boat, wherever the wind was going to, I
17 went, there wasn't a lot of time.

18 UNIDENTIFIED SPEAKER: Okay. What can you tell
19 me about the power settings of the vessel? Were you up
20 on the plane --

21 MR. HOMAN: Oh, no.

22 UNIDENTIFIED SPEAKER: -- were you just going
23 along, how would you describe that?

24 MR. HOMAN: I don't know where, how fast it
25 was going.

1 UNIDENTIFIED SPEAKER: You didn't notice, you
2 didn't notice an appreciable change once you got the
3 wind --

4 MR. HOMAN: Well, yes, with the chops out
5 there, I couldn't tell whether it was because we were
6 moving through the water, or the water was moving over
7 us. And the wind was really tremendous.

8 (Pause.)

9 MR. HOMAN: I could tell you the engine was
10 operating pretty good, and that it wasn't stalling or
11 anything.

12 UNIDENTIFIED SPEAKER: Okay. You had
13 mentioned that you had operated the vessel when there
14 was no passengers onboard.

15 MR. HOMAN: Right.

16 UNIDENTIFIED SPEAKER: Did you do that day as
17 well?

18 MR. HOMAN: Yes. Earlier that day. It wasn't
19 quite as windy, but, I docked the boat at the, at the
20 fire dock without any problem.

21 UNIDENTIFIED SPEAKER: Did you notice any
22 unusual handling characterizations of the vessel at any
23 time?

24 MR. HOMAN: It was handling excellent.

25 UNIDENTIFIED SPEAKER: Now, you mentioned that

1 you had the wind indicator on there, that indicated 13
2 knots just prior to your leaving. Did you look,
3 observe that at any time just prior to capsizing, were
4 you able to --

5 MR. HOMAN: No.

6 UNIDENTIFIED SPEAKER: Okay. So that was the
7 last that --

8 MR. HOMAN: It was just hanging around my
9 neck.

10 UNIDENTIFIED SPEAKER: Okay. That is all the
11 questions I have right now. I might have some follow
12 ups later on.

13 MR. HOMAN: I would like to add that is not
14 normal, mates aren't required to --

15 UNIDENTIFIED SPEAKER: Right.

16 MR. HOMAN: I just had it because I am a
17 boater.

18 UNIDENTIFIED SPEAKER: Oh, I am glad you did.

19

20 MR. TURRELL: Ron?

21 MR. SILVER: No, I just want to say thanks, I
22 hope you are feeling better.

23 MR. HOMAN: Yeah.

24 MR. SILVER: We will sit down and talk more
25 about it, and we do have some forms we have got to fill

1 out.

2 MR. HOMAN: Yes, if anybody can tell me how we
3 got out of the boat, I would appreciate it, because --

4 MR. HOMAN: When we talked to Frank, next, we
5 will ask him if he knows.

6 MR. HOMAN: Okay.

7 UNIDENTIFIED SPEAKER: Was the weight
8 distributed equally --

9 MR. HOMAN: Yeah, the boat was pretty level.
10 Sometimes you can get a, real heavy people on one side,
11 but this time it was balanced pretty good.

12 UNIDENTIFIED SPEAKER: You said some, you had
13 to tell the passengers to be seated --

14 MR. HOMAN: Well, the first time, I went over,
15 keep it from going over the other way, keep it stable.

16 UNIDENTIFIED SPEAKER: Did they all --

17 MR. HOMAN: Yes, it was like, you know, up and
18 down, I mean, they were really listening to me.

19 UNIDENTIFIED SPEAKER: Okay. Was there anyone
20 standing at the time the vessel started to roll?

21 MR. HOMAN: Yeah, because I told them all get
22 over to the starboard and as we stood up to go, the
23 boat flipped.

24 UNIDENTIFIED SPEAKER: You told them all to go
25 to the starboard side.

1 MR. HOMAN: There were some sitting on the
2 starboard.

3 UNIDENTIFIED SPEAKER: Okay.

4 MR. HOMAN: The ones on the, I told them to go
5 the starboard.

6 UNIDENTIFIED SPEAKER: And which, which way
7 did the vessel roll again?

8 MR. HOMAN: To the port.

9 UNIDENTIFIED SPEAKER: Port.

10 MR. TURRELL: I understand what you are
11 saying, Mike, is when you felt the boat starting to go
12 over, you tried to transfer the weight to the side that
13 was raising.

14 MR. HOMAN: Okay.

15 UNIDENTIFIED SPEAKER: You said when you asked
16 them to get their life jackets --

17 MR. HOMAN: I told them to hold onto the life
18 jackets. Because it was like a split second and this
19 is when we were, I told them to get up, and I think
20 right before I told them to get up, I said, you might
21 want to hold onto your life jackets. But, we didn't
22 have a chance.

23 UNIDENTIFIED SPEAKER: You didn't have a
24 chance to get them.

25 MR. HOMAN: It was too quick.

1 UNIDENTIFIED SPEAKER: How far were you from
2 the dock when you got that first gust of wind?

3 MR. HOMAN: Maybe 100 yards.

4 UNIDENTIFIED SPEAKER: One hundred yards.
5 Okay. And that blew you further away from the dock.

6 MR. HOMAN: Well, the first gust of wind, when
7 we were facing to go back into the Inner Harbor, pulled
8 them off the starboard, so, and then the wind, as we
9 went out further, the wind got stronger and it just
10 whipped up. I mean, it, the wind was increasing at all
11 points.

12 UNIDENTIFIED SPEAKER: And what weather
13 conditions would you guys return to the dock?

14 MR. HOMAN: We would never have gone out like
15 that. We didn't see, I think it must have happened
16 right then.

17 UNIDENTIFIED SPEAKER: So it was blocked from
18 something, the wind was knocked off of the pier.

19 MR. HOMAN: I have a great fear of the water.

20

21 MR. TURRELL: How about now?

22 MR. HOMAN: Well, if they get me now.

23 MR. TURRELL: Have you ever been in a similar
24 situation on these boats before?

25 MR. HOMAN: On my personal boat, yes.

1 MR. TURRELL: Okay.

2 MR. HOMAN: Off of Sparrows Point, but that
3 was a sail boat.

4 MR. TURRELL: Okay. What kind of company
5 training is in place for, you are a new employee, you
6 just joined, what type of training program, is it
7 formalized, written? Do you have --

8 MR. HOMAN: They had a, it is a group session
9 with all the mates.

10 MR. TURRELL: Okay.

11 MR. HOMAN: They took us out to the docks and
12 showed the fire extinguishers, they had a man overboard
13 drill, in the water.

14 MR. TURRELL: Okay. How often are these
15 sessions held roughly?

16 MR. HOMAN: I think every season. Brian could
17 tell you better.

18 MR. TURRELL: Okay. Any recurrent, like mid
19 season --

20 UNIDENTIFIED SPEAKER: Did you miss the one
21 two weeks ago?

22 MR. HOMAN: Yeah. I was not working.

23 UNIDENTIFIED SPEAKER: Was that the Saturday
24 you weren't in?

25 MR. HOMAN: Right.

1 UNIDENTIFIED SPEAKER: Because there was one
2 two weeks ago, a mid season. We do a refresher with
3 all the, most of the mates in the winter are steady
4 employed mates. And we do a refresher in the middle of
5 the winter. And when we ramp up each season, and add
6 mates, we do everybody as, usually in two, two big
7 groups. We do fire suppression, safety speech that
8 Mike talked about, tell them how and why we make them
9 do that. And then we take them out in the water and do
10 a man over recovery drill with floating --

11 UNIDENTIFIED SPEAKER: What is the top speed
12 of the vessel?

13 UNIDENTIFIED SPEAKER: Approximately --

14 MR. TURRELL: What kind of, are there any
15 formalized procedures in place, any manual they may
16 give you or --

17 MR. HOMAN: I believe there were some
18 documents.

19 MR. TURRELL: Can you just, I guess, a binder,
20 a folder --

21 MR. HOMAN: I think it was like pieces of
22 paper.

23 MR. TURRELL: And can you roughly just tell us
24 what those, what that, those pages have on them?

25 MR. HOMAN: I really don't recall.

1 MR. TURRELL: How are company directives given
2 you, are they given verbally or to the captain or are
3 you, like if there was a new directive, or new policy
4 in place?

5 MR. HOMAN: It would be when we are coming in
6 the morning, we get our schedule or it is called orders
7 of the day.

8 MR. TURRELL: Okay.

9 MR. HOMAN: And you might see a separate
10 attachment telling us, for example, offer a special
11 deal to commuters, starting after the 15 or something.

12 MR. TURRELL: So, does the company offer,
13 provide you e-mail?

14 MR. HOMAN: They don't provide me with e-mail,
15 but, I can e-mail them.

16 MR. TURRELL: Do they send you messages by
17 e-mail?

18 MR. HOMAN: I have received e-mail messages,
19 but, not only on things like schedules.

20 MR. TURRELL: Okay.

21 UNIDENTIFIED SPEAKER: Personnel.

22 MR. HOMAN: Yes.

23 MR. TURRELL: Okay.

24 UNIDENTIFIED SPEAKER: Not company directives
25 per se.

1 MR. TURRELL: Okay. I think for right now I
2 think have no further questions. Commander?

3 UNIDENTIFIED SPEAKER: I have just one more.
4 Did you notice any lightning?

5 MR. HOMAN: No.

6 MR. TURRELL: Mariette?

7 MS. BURER: Did you say, when you were
8 talking about the maintenance, Tuesday check, is that
9 done every single week on Tuesday? Or was this done
10 strictly because of the Coast Guard inspection that was
11 coming up Monday?

12 MR. HOMAN: There was a two week period where,
13 where I had some mates scheduled for maintenance and
14 always need help, Ron and maintain the boats. And
15 basically do whatever they ask, either paint the boat
16 or --

17 MS. BURER: Okay.

18 MR. HOMAN: Check the life preservers or, we
19 were going a lot other things besides checking on them
20 for inspection, but that was one of them. We did check
21 the one boat specifically.

22 MS. BURER: Okay. And how many runs do you
23 make on a typical route, like you said, if you have
24 completed all day?

25 MR. HOMAN: Again, this is the mid winter, so

1 the traffic was not that heavy. But, on, I would say
2 most of the time we had the boats probably half full.

3 MS. BURER: Okay. Half full.

4 MR. HOMAN: I think there were two times when
5 we were at capacity.

6 MS. BURER: Okay. And then how many runs
7 would you make for that one particular day, what is an
8 average?

9 MR. HOMAN: You can do it every 35 minutes.

10 MS. BURER: Okay.

11 MR. HOMAN: So, I don't know, around --

12 MR. TURRELL: That is a round trip?

13 MR. HOMAN: I would say maybe 10 round.

14 MR. TURRELL: Okay.

15 MR. HOMAN: Either way. So five run, round
16 trip. During the winter time we have limited hours at
17 Fort McHenry.

18 MS. BURER: You don't have a full schedule
19 for Fort McHenry. Right, what happens it was the
20 winter schedule from 10:30 to four o'clock.

21 MR. HOMAN: Right. And the last time we took
22 people out to Fort McHenry was a little after two.

23 MS. BURER: Okay.

24 MR. HOMAN: So we didn't take them out, so we
25 wanted sure we got everybody back by four.

1 MS. BURER: Okay.

2 MR. HOMAN: So, it usually, after two, the
3 runs out there were empty.

4 MS. BURER: Okay.

5 MR. HOMAN: So the demand in the morning
6 dictates the first run. Typically on Saturday, it is
7 somewhere around 11 o'clock, that first run out. And
8 two o'clock we stop taking passengers to Fort McHenry
9 from Harbor Place. And then this boat takes them out to
10 Fells Point and continues their journey

11 MS. BURER: Okay.

12 UNIDENTIFIED SPEAKER: The Fort, itself,
13 closes from our perspective at four o'clock. So, folks
14 who get on the two o'clock boat from Harbor Place, have
15 until four o'clock to come back from Fort McHenry.

16 UNIDENTIFIED SPEAKER: Okay.

17 UNIDENTIFIED SPEAKER: And as Mike is saying,
18 typically from 2:15 to 4:00 there is very limited
19 traffic and the majority of the traffic is obviously
20 coming back in.

21 UNIDENTIFIED SPEAKER: Right. Okay.

22 MR. HOMAN: And as you get closer to 4:00
23 p.m., you tend to have more people right over the end.

24 UNIDENTIFIED SPEAKER: Right.

25 MR. HOMAN: So, I think there was another boat

1 load after us.

2 UNIDENTIFIED SPEAKER: Six or seven people, I
3 understand.

4 UNIDENTIFIED SPEAKER: -- how many children
5 life jackets do you --

6 MR. HOMAN: I know there at least 10 children.

7 UNIDENTIFIED SPEAKER: Ten, okay.

8 MR. HOMAN: And 25 adults, 27. I know we have
9 more life jackets than you are required to have.

10 UNIDENTIFIED SPEAKER: Okay. Okay.

11 UNIDENTIFIED SPEAKER: That boat would, basic
12 Coast Guard regulations requires 10 percent, which
13 would be three child's jackets, and/or a jacket for
14 every child.

15 UNIDENTIFIED SPEAKER: Okay.

16 UNIDENTIFIED SPEAKER: Because it is a Fort
17 McHenry boat, we carry almost 50 percent children's
18 jackets on it because we expect a high number of kids.

19 UNIDENTIFIED SPEAKER: Okay.

20 UNIDENTIFIED SPEAKER: So, as Mike said, it is
21 over jackets.

22 UNIDENTIFIED SPEAKER: Right, right. And when
23 you did your Tuesday check, everything seemed to be in
24 order.

25 MR. HOMAN: Yes, there was some older jackets

1 that were made out of like a vinyl -- they call them
2 chest -- so I fixed those with some kind of compound.
3 There wasn't anything serious wrong.

4 UNIDENTIFIED SPEAKER: Those are the solid.

5 MR. HOMAN: It was more --

6 UNIDENTIFIED SPEAKER: I mean, they just have
7 an orange cover on them. Kind of a sprayed on orange
8 cover.

9 UNIDENTIFIED SPEAKER: Okay.

10 UNIDENTIFIED SPEAKER: What Mike is talking
11 about is those covers sometimes check and we use a
12 silicone to fill in the checks to keep them.

13 MR. HOMAN: But, those were the adult jackets.

14 UNIDENTIFIED SPEAKER: Right.

15 MR. HOMAN: All the children were fairly new.

16 UNIDENTIFIED SPEAKER: When you go through the
17 safety briefing, in the morning, do any passengers have
18 any questions or did they take it serious or --

19 MR. HOMAN: Oh, you mean, you do it every,
20 just about every time you get, you don't know if they
21 have heard it before.

22 UNIDENTIFIED SPEAKER: Right.

23 MR. HOMAN: And it is good to repeat it. So,
24 they probably heard it at least twice.

25 UNIDENTIFIED SPEAKER: Right. Do you feel

1 that they were paying attention?

2 MR. HOMAN: You know, you don't want to panic
3 them.

4 UNIDENTIFIED SPEAKER: Right.

5 MR. HOMAN: I didn't think it was sinkable.

6 MR. TURRELL: It didn't sink, Mike.

7 MR. HOMAN: I know.

8 MR. TURRELL: It is still floating upside
9 down.

10 Okay. I have no other questions. Do you have
11 any? Okay. We will conclude the on the record
12 interview. And if you could just acknowledge that it
13 was being tape recorded, for accuracy.

14 MR. HOMAN: And this is Mike Homan, I
15 acknowledge that the following, or the previous
16 conversation was recorded.

17 MR. TURRELL: Thanks.

18 (Whereupon, the interview was concluded.)